

THE RAMEAU LAW FIRM

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AMY RAMEAU, ESQ.*

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June 8, 2018

BY FIRST CLASS MAIL and EMAIL

Christopher DeLuca, Esq.
NYC Law Department
Special Federal Litigation Division
100 Church Street
New York, New York 10007

Re: Raymond Tavares and Tito Kee v. City of New York, et al., 17 CV 5221
(KAM)(RLM)

Dear Mr. DeLuca:

I write in response to defendants' May 11, 2018 letter outlining purported deficiencies in plaintiffs' responses to defendants' First Set of Interrogatories and Request for Production of Documents.

I. Plaintiffs' Response to Defendants' Claim of Deficiencies Related to Plaintiffs' Interrogatory Responses.

Interrogatory No. 1. Besides the witnesses listed in plaintiffs and defendants' initial disclosures, plaintiff identifies the following medical providers:

1. Dr. Mansoor Khan, M.D., ED treating physician from Richmond University Hospital;
2. Robert Lynch, R.N., treating medical provider from Richmond University Hospital;

Plaintiffs continue searching for the name and address of the individual depicted on the surveillance video produced. Plaintiffs will provide it once available.

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Interrogatory No. 4. Plaintiff Raymond Tavares does not make a claim for physical injuries other than the injuries to his wrists and psychological injuries. Plaintiff Raymond Tavares did not seek treatment for the injuries sustained. Plaintiff Tito Kee sustained injuries to his face and received treatment at Richmond University Medical Center.

Interrogatory No. 5. Plaintiffs do not make a claim for medical, psychiatric, psychological treatment, lost income, or property damage.

Interrogatory No. 6. Plaintiffs object to this request as it is overly broad in time and scope and is not reasonably calculated to the discovery of the admissible evidence. Plaintiffs do not seek lost earnings or money for interference with their employment as a result of this incident.

Interrogatory No. 7. Plaintiff Raymond Tavares did not seek treatment for his injuries. Plaintiff Tito Kee was treated at Richmond Medical Center.

Interrogatory No. 8. Plaintiffs have not applied for worker's compensation within the past ten (10) years.

Interrogatory No. 9. Plaintiffs have not applied for social security disability benefits within the past ten (10) years.

Interrogatory No. 10. Plaintiffs have not applied for Medicare within the past ten (10) years.

Interrogatory No. 11. Plaintiffs have not made claims with any insurance carrier for physical, mental or emotional injuries within the past ten (10) years.

Interrogatory No. 13. Plaintiffs have been arrested on several occasions in the past and do not have a recollection as to the particular dates and charges. In any event, defendants are in a better position to ascertain responsive materials. Annexed hereto please find executed §§160.50 and 160.55 authorizations.

Interrogatory No. 14. See plaintiffs' response to defendants' Interrogatory No. 13.

Interrogatory No. 15. Plaintiffs have not had any prior lawsuits to which plaintiffs were a party.

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Interrogatory No. 17. Plaintiff Raymond Tavares did not seek medical treatment. Plaintiff Tito Kee was treated at Richmond University Medical Center. Plaintiff Tito Kee intends to call all the treating physicians listed in his medical records including but not limited to Dr. Mansoor Khan, M.D. and Robert Lynch, R.N.

Interrogatory No. 18. Plaintiffs have not identified which experts, if any, they intend to call at trial.

II. Plaintiffs' Responses to Defendants' Claim of Deficiencies Related to Plaintiffs' Document Requests.

Document Request No. 3. Plaintiff Raymond Tavares did not seek treatment for the injuries he sustained. Plaintiff Tito Kee was treated at Richmond University Medical Center annexed hereto as P005-P013.

Document Request No. 4. Plaintiffs have produced the videos documenting the Incident as bates stamped as P004.

Document Request No. 5. Plaintiffs did not incur any expenditures other than attorneys' fees. Plaintiffs will produce documentation supporting the same.

Document Request No. 10. Plaintiffs have not identified which experts, if any, plaintiffs intend to call at trial.

Document Request No. 11. Plaintiff Raymond Tavares did not seek treatment for the injuries he sustained. Plaintiff Tito Kee has previously produced the releases to obtain his medical records from Richmond University Medical Center.

Document Request No. 12. Annexed hereto please find executed authorizations for access to plaintiffs' records that may be sealed pursuant to N.Y.C.P.L. §160.50 and 160.55.

Document Request No. 13. Plaintiffs do not seek lost earnings.

Document Request No. 14. Plaintiffs have not made claims for unemployment benefits within the past ten years.

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Document Request No. 15. Plaintiffs have not made claims with any insurance carriers for the past ten years.

Document Request No. 16. Plaintiffs have not made claims for social security disability benefits within the past ten years.

Document Request No. 17. Plaintiffs have not made claims for Medicare and/or Medicaid benefits within the past ten years.

Document Request No. 18. Plaintiffs were not on parole at the time of the incident.

Sincerely,


Amy Rameau

Encl.

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